THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.23295 OF 2005

DATED:28.10.2005

Between:

Gantyada Pyditalli

…Petitioner

And

Sri Vijayarama Gajapathi Co-op. Sugars Ltd.

Rep. by its Managing Director, Kumaram Village

Jami Mandal, Vizianagaram District, and others

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.23295 OF 2005

ORDER:

The petitioner is allegedly owner of land in S.Nos.42/5, 42/15, 54/9, 6/12, 14/16, 19/13, 23/1 admeasuring Acs.8.00 in Puritipenta Village, Gajapathinagaram Mandal, Vizianagaram District. The grievance of the petitioner is that without there being any notification by the Commissioner of Sugar and Cane Commissioner under the provisions of Section 12(2) of the Sugarcane Control Order, 1996 the respondents 2 and 3 are not permitting the petitioner to crush sugarcane grown in his land, including Puritipenta Village in the factory zone of first respondent.

Though the learned counsel for the petitioner relies on order passed by this Court in W.P.No.19659 of 2004 and batch, dt.21.2.2005, I am not able to agree with the

counsel. Unless and until the notification allotting the factory zone to the first respondent is placed before this Court, it is not possible to appreciate the contention that Puritipenta village is included in the said factory zone. The Writ Petition is filed without any factual foundation.

The Writ Petition with the above observations is accordingly dismissed.

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(V.V.S.RAO, J)

28.10.2005

bnr

Note:CC by 31.10.2005.

(B.O)

bnr